

MESSAGE NO: 3014305 MESSAGE DATE: 01/14/2013

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 77 FR 73415 FR CITE DATE: 12/10/2012

REFERENCE 1259302, 3010302
MESSAGE #
(s):

CASE #(s): A-475-201

EFFECTIVE DATE: 12/10/2012 COURT CASE #:

PERIOD OF REVIEW: 05/01/2010 TO 04/30/2011

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for ball bearings and parts thereof from Italy produced by Schaeffler Italia S.r.l. et. al, for the period 05/01/2010 through 04/30/2011 (A-475-201)

1. Until instructed further, continue to suspend liquidation for entries covered by paragraphs 3 of injunction message number 3010302 dated 01/10/2013.
2. As a result of Commerce's clarification of its assessment regulation on 05/06/2003 (68 FR 23954), for all shipments of ball bearings and parts thereof from Italy, produced by Schaeffler Italia S.r.l., WPB Water Pump Bearing GmbH & Co. KG, the Schaeffler Group, Schaeffler Italia S.p.A., Schaeffler KG, or Schaeffler Technologies GmbH & Co., entered, or withdrawn from warehouse, for consumption during the period 05/01/2010 through 04/30/2011, entered under case number A-475-201-001, and not covered by paragraph 1, assess antidumping duties at the all-others rate in effect on the date of entry. The all-others rate for ball bearings and parts thereof from Italy is 69.98 percent.
3. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the final results of administrative review (77 FR 73415, 12/10/2012). The antidumping duty order on ball bearings and parts thereof from Italy was revoked, effective 09/15/2011 (see message 1259302 dated 09/16/2011).
4. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.
5. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of commerce's regulations. The

importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the manufacturer, producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

6. With the exception of entries containing merchandise which is subject to the injunction discussed in paragraph 1, there are no injunctions applicable to the entries covered by paragraph 2 of this message.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O1:DR)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party